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Docket No. 111590-120



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bernard John Carroll )

Serial No.: 09/701,926 )

Group Art Unit: Not Yet Assigned

Filing Date: December 4, 2000 )

Examiner: Not Yet Assigned

For: Phenotype Modifying Genetic Sequences )

United States Patent and Trademark Office  
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I hereby certify that this correspondence is being submitted by Express Mail, Label No. EL 727 326 495 US, Postage Pre-Paid, Addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on	
Date: December 10, 2001	Reg. No. 34,045
Signature: <u>M. Lisa Wilson</u> M. Lisa Wilson	

Sir:

**RESPONSE TO NOTIFICATION OF DEFECTIVE  
 RESPONSE AND PRELIMINARY AMENDMENT**

In response to the Notification of Defective Response, dated November 8, 2001 (hereafter "Notice"), Applicant respectfully requests entry of the present Preliminary Amendment in the above-identified patent application.

**IN THE SPECIFICATION:**

Please delete the section entitled "Sequence Listing" and replace such deleted section with the replacement section provided in Appendix A. A marked-up version of the deleted pages is attached as Appendix B.

**REMARKS**

The Notification of Defective Response indicates that the previously submitted Sequence Listing does not comply with the requirements of 37 C.F.R. § 1.822 or 1.823. In response thereto, Applicant submits this preliminary amendment, revised paper copy of a Sequence Listing as well as a copy of the Sequence Listing in Computer Readable Form ("CRF") as required under 37 C.F.R. § 1.821(e). Pursuant to 37 C.F.R. § 1.821(f), Applicant hereby states that the sequence listing information recorded in computer readable form is identical to the paper

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